

Antitrust Litigation: How an Amicus Brief Can Win an Appeal

The Antitrust Update of Patterson Belknap Webb & Tyler **discusses** a Federal Trade Commission case in which it appears an amicus brief may have been dispositive to the outcome of an appeal.

In *Federal Trade Commission v. Penn State Hershey Medical Center*, a group of 36 economists affiliated with top universities across the country filed an amicus brief explaining that the lower court used a faulty economic theory when it ruled against the FTC. The appellate court cited the brief when it reversed the district court.

Authors **Jake Walter-Warner** and **Jonathan H. Hatch** examine the brief's influence on the appellate court and show how the court laid out the issues with the district court's analysis just as the amicus brief did.

Read the article.